



1731\$

PIPER RUDNICK LLP
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FACSIMILE: 202-223-2085

DOCKET NO.: 3843-002-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/735,177
Applicant(s): David McCray PEELE
Filing Date: December 12, 2000
For: TOBACCO PROCESSING
Group Art Unit: 1731
Examiner: WALLS, DIONNE

SIR:

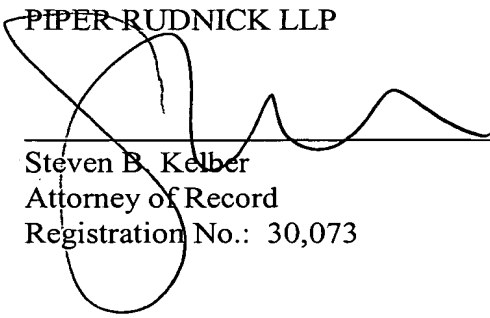
Attached hereto for filing are the following papers:

Fee Transmittal
Information Disclosure Statement
PTO-1449
Cited Documents (3)

Our check in the amount of \$ 180.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

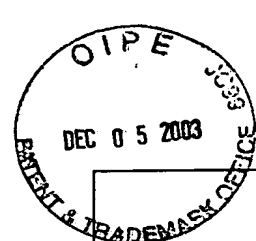


Steven B. Kelber
Attorney of Record
Registration No.: 30,073

12/08/2003 CNGUYEN 00000003 09735177

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180.00 DP



FEE TRANSMITTAL

| | |
|----------------|--------------------|
| Docket No. | 3843-002-27 CONT |
| Serial No. | 09/735,177 |
| Filing Date | December 12, 2000 |
| Inventor(s) | David McCray PEELE |
| Group Art Unit | 1731 |

TOTAL AMOUNT OF PAYMENT**\$180.00**

Examiner

WALLS, Dionne A.

1. ☐ Applicant claims small entity status.☒ Charge any **UNDERPAYMENT** or credit any **OVERPAYMENT** in the indicated fees to Deposit Account No. 50-1442.☐ Charge the indicated fees to Deposit Account No. 50-1442.**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity

Small Entity

Fee Description

2. ☒ Check enclosed.

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Paid

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity

Small Entity

Fee Description

1051

130

2051

65

Surcharge-late filing fee or oath

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Paid

1052

50

2052

25

Surcharge-late provisional filing fee or cover sheet

1001

770

2001

385

Utility filing fee

1251

110

2251

55

1-mo. ext. of time

1002

340

2002

170

Design filing fee

1252

420

2252

210

2-mo. ext. of time

1003

520

2003

260

Plant filing fee

1253

950

2253

475

3-mo. ext. of time

1004

770

2004

385

Reissue filing fee

1254

1480

2254

740

4-mo. ext. of time

1005

160

2005

80

Provisional filing fee

1255

2010

2255

1005

5-mo. ext. of time

1401

330

2401

165

Notice of Appeal

SUBTOTAL (1)**\$0.00**

1402

330

2402

165

Appeal Brief

2. EXTRA CLAIM FEES

1403

290

2403

145

Request for Oral Hearing

tot. claims

-

20*

=

0

x

\$18

=

0

1501

1330

2501

665

Utility/Reissue Issue Fee

ind. claims

-

3*

=

0

x

\$86

=

0

1502

480

2502

240

Design Issue Fee

☐ Multiple Dependent Claims

\$290

=

0

1504

300

1504

300

Publication Fee

Large Entity

Small Entity

Fee Description

8001

3

8001

3

Advance Copy of Patent

Fee Code

Fee (\$)

Fee Code

Fee (\$)

1460

130

1460

130

Petitions to the Commissioner

1202

18

2202

9

Claims in excess of 20

1806

180

1806

180

IDS Submission

\$180

1201

86

2201

43

Independent claims in excess of 3

8021

40

8021

40

Assignment recordation

1203

290

2203

145

Multiple dependent claim, if not paid

1801

770

2801

385

For Filing RCE

1204

84

2204

43

*Reissue independent claims over original patent

1814

110

2814

55

Terminal Disclaimer

1205

18

2205

9

*Reissue claims in excess of 20 and over original patent

OTHER (indicate below):

SUBTOTAL (2)**\$0.00**

* or number previously paid, if greater; For Reissues, see above

SUBTOTAL (3)**\$180.00**

Name

Steven B. Kelber

Registration No.

30,073

Signature

Date

December 5, 2003

Telephone

202-861-3900

Name

Registration No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: David McCray PEELE

GROUP ART UNIT: 1731

SERIAL NUMBER: 09/735,177

EXAMINER: WALLS, DIONNE A.

FILED: December 12, 2000

FOR: TOBACCO PROCESSING

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Assistant Commissioner for Patents
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Applicant(s) wish(es) to disclose the following information.

REFERENCES

- ☒ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are either statements of relevancy or any readily available full or partial English translations of any non-English-language documents.

RELATED CASES

- ☐ Attached is a list of Applicant's(s') pending applications and issued patents which may be related to the present application. Copies of the documents, where required, are attached along with Form PTO-1449.

CERTIFICATION

The undersigned certifies that

- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application for the first time (to the knowledge of the undersigned, having made reasonable inquiry) not more than three months prior to the filing of this statement.
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- ☐ without fee and within three months of the filing date of the application.
- ☐ without fee and within three months of the date of entry of the U.S. national stage.
- ☐ without fee and before the mailing date of a first Office Action on the merits (to the knowledge of the undersigned).
- ☐ without fee and with the appropriate certification above.
- ☐ without fee and with a new CPA application.
- ☐ without fee and with a Request for Continued Examination.
- ☒ with fee and before the mailing date of any of a Final Office Action, Notice of Allowance or an action that otherwise closes prosecution (to the knowledge of the undersigned).
- ☐ with fee, appropriate certification above, and before payment of the Issue Fee.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 50-1442.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber
Attorney of Record
Registration No. 30,073

1200 Nineteenth Street, N.W.
Washington, DC 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Form PTO 1449

U.S. DEPARTMENT OF
COMMERCE
PATENT AND TRADEMARK
OFFICE

DOCKET NO.

3843-002-27 CONT

SERIAL NO.

09/735,177

APPLICANT

David McCray PEELE

FILING DATE

December 12, 2000

GROUP ART UNIT

1731

LIST OF REFERENCES CITED BY APPLICANT
(Use Several Sheets if Necessary)

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|----|--------------------|------|------|-------|--------------|-------------------------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |
| | AJ | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION YES NO | |
|--|----|--------------------|------|---------|-----------------------|--|
| | AK | | | | | |
| | AL | | | | | |
| | AM | | | | | |
| | AN | | | | | |
| | AO | | | | | |

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|---|
| AP | "Plaintiff's Response to Defendant's Second Set of Interrogatories", Star Scientific, Inc. v. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504, April 8, 2002. |
| AQ | "Deposition of David Peele", Star Scientific, Inc. vs. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504/Case No. AW 02-CV-2504, Certified Copy, November 14, 2002. |
| AR | "Deposition of Tim Nestor", Star Scientific, Inc. vs. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504/Case No. AW 02-CV-2504, Original, August 29, 2002. |
| AS | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.